

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DOCTOR'S ASSOCIATES INC.)	
)	Civil Action No.08-3363WJM
Plaintiff,)	
)	Judge: Honorable
v.)	William J. Martini, USDJ
)	
JESAL DESAI a/k/a JESAL A. PATWARI,)	
SHAPAT, INC., SHAPAT II, LLC)	
SHAPAT III, LLC and PATWARI, LLC)	
)	
Defendants.)	
)	
JESAL DESAI, SHAPAT, INC., SHAPAT)	
II, LLC, SHAPAT III, LLC, and_)	
PATWARI, LLC,)	
)	
Plaintiffs,)	Civil Action No.08-3902PGS
)	
v.)	
)	
DOCTORS ASSOCIATES INC. and)	
SUBWAY REAL ESTATE CORPORATION,)	
)	
Defendants.)	
)	

NOTICE OF MOTION FOR AN ORDER (1) HOLDING DEFENDANTS JESAL DESAL, a/k/a JESAL PATWARI, SHAPAT, INC., SHAPAT II, LLC, SHAPAT III, LLC, PATWARI, LLC AND THEIR OFFICERS IN CONTEMPT OF COURT FOR WILLFUL VIOLATION OF THE INJUNCTION FILED AUGUST 12, 2008; (2) ORDERING THE ARREST OF DEFENDANTS AND THEIR OFFICERS UNTIL SUCH TIME AS THE INJUNCTION IS COMPLIED WITH; (3) AWARDING ATTORNEYS FEES, COSTS AND SANCTIONS IN FAVOR OF PLAINTIFF AND AGAINST DEFENDANTS FOR SUCH WILLFUL VIOLATION OF THE PRELIMINARY INJUNCTION

TO: SUSHEELA VERMA, ESQ.,
ATTORNEY FOR DEFENDANTS,
JESAL DESAI a/k/a JESAL PATWARI,
SHAPAT, INC, SHAPAT II, LLC,
SHAPAT III, LLC, AND PATWARI, LLC
1 Woodbridge Center, Ste. 810
Woodbridge, N.J. 07095

PLEASE TAKE NOTICE that on an expedited return date, to be set by the Court as per Movant's request, Plaintiff/Movant, Doctors Associates, Inc., shall move before the above named Court for an Order holding Defendant, Jesal Desai, and/or any Officers of Defendants, Shapat, Inc., Shapat II, LLC, Shapat III, LLC, and Patwari, LLC, in Contempt of Court for violation of the Court's Preliminary Injunction entered August 12, 2008; ordering the arrest of said persons until such time as the Injunction is complied with; and ordering said Defendants to pay Plaintiff's attorney's fees and costs for making this Motion; ordering said Defendants to pay Plaintiff monetary sanctions for willful violation of the Court injunction; and allowing Plaintiffs to remove all trademarks, service marks or simile thereof with the assistance of the US Marshall should Defendants fail to cease violation of the injunction; and for such further relief as the Court may deem just and proper.

Plaintiff hereby requests oral argument, unless no opposition is filed in which case Plaintiff will rely on the papers filed herewith in support of the Motion. In support of the Motion, Plaintiff/Movant shall rely on the Certification of Patrick Denney, and the Certification of Forrest S. Turkish, filed herewith.

A proposed form of Order is filed herewith.

LAW OFFICE OF
FORREST S. TURKISH

Date: August 26, 2008 By: /S/ Forrest S. Turkish
FORREST S. TURKISH (FT-9080)
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Attorney for Plaintiffs

(Forrest/DesaiFederalContempt.NOM)